WP No. 1508 (SS) 2004

Hon'ble M.M. Ghildiyal, J

Heard Sri Vinay Kumar, learned counsel for the petitioner and Sri D.S. Patni, learned counsel for the respondents.

Learned counsel for the petitioner has submitted that the question raised in the present writ petition is squarely covered by the judgement dated 5.10.2001 of this court passed in Writ Petition No. 860 (SB) of 2001 (Sukh Dev Vs. State of Uttaranchal and others).

Learned counsel for the respondents is also agreed that the case is squarely covered by the aforesaid judgement provided that the option of the petitioner submitted before the Department is found to be genuine.

In view of the aforesaid statement, the writ petition is decided in terms of Judgement dated 5.10.2001 passed by this court in Writ Petition No. 860 (SB) of 2001 (Sukh Dev Vs. State of Uttaranchal and others) provided that the option of the petitioner submitted before the Department is found to be genuine.

20.12.2004 **(M.M. Ghildiyal, J.)**

S.K.S